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## Office of the Governor

December 12, 2011

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
Room: 8-B201  
445 12th Street, SW  
Washington, D.C. 20554

*Re: Request for Waiver Filed By The Nevada Department of Transportation, Las Vegas Metropolitan Police Department, Washoe County Sheriff's Office, Washoe County Regional Communication System and NV Energy (SONNet Waiver Request).*

Dear Chairman Genachowski:

I write to thank you and the Commission for your efforts in evaluating the SONNet request, filed on May 9, 2010, that the FCC waive its 700 MHz public safety early deployment rules to empower the State of Nevada to construct and operate a 700 MHz interoperable public safety wireless broadband network (PSWBN). It is my understanding that representatives of the State of Nevada met, with my approval, with Public Safety and Homeland Security Bureau (PSHSB) staff on December 1, 2011 to discuss this priority project for the State of Nevada. We deeply value their time and expertise, and are eager to assure the Commission that the proposed network, which will be operated under the direction and control of the State of Nevada, will achieve true interoperability and save lives.

Further, I echo the statements made during this meeting that the Commission need not wait to issue rules governing possible use of the 700 MHz public safety spectrum by non-governmental entities to grant the SONNet Waiver Request. The State of Nevada is ready and able to manage and begin development of its network exclusively pursuant to the rules established regarding use for government entities, notwithstanding possible future use of the network by NV Energy.<sup>1</sup>

Moreover, I greatly appreciate PSHSB Chief James Barnett's letter of December 5, 2011, to Mr. Richard J. Nelson, State of Nevada Department of Transportation, recognizing the "importance of [the Commission's review of the SONNet Waiver Request] on the timing of important decisions that Nevada is making with regard to

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<sup>1</sup> I associate myself with the assertions made in: Letter from Richard J. Nelson to Marlene H. Dortch, Dec. 5, 2011

Request] on the timing of important decisions that Nevada is making with regard to investment.”<sup>2</sup> It is this highly sensitive timing that prompts my strong urge that the Commission immediately grant the SONNet request.

The State of Nevada and its various agencies are currently identifying projects to prioritize for FY 2012 funding and will finalize funding recommendations in the coming weeks. Further, as the Chair of the Nevada State Homeland Security Commission, I am developing funding priorities for 2012. Were it possible, the development of a statewide, interoperable public safety wireless broadband network would be among the most vital projects across the various agencies in the State of Nevada.

However, the State cannot target funds for a project such as that proposed in the SONNet Waiver Request without first having obtained the necessary Waiver from the Commission. Thus, while the State is prepared to fund the development of its statewide, interoperable public safety wireless broadband network in FY 2012, it will not do so without the grant of the SONNet Waiver Request in the next few weeks. Funding opportunities that can begin the deployment of a truly interoperable network will be put off for yet another year without prompt Commission action.

Accordingly, I urge the Commission to immediately grant the SONNet Waiver Request so that I can prioritize funding in the coming weeks for the deployment of a truly interoperable public safety wireless broadband network.

Sincere regards,

A handwritten signature in blue ink, appearing to read "B. Sandoval", written over a horizontal line.

BRIAN SANDOVAL  
Governor

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<sup>2</sup> Letter from James Arden Barnett, Jr. to Richard J. Nelson, Dec. 5, 2011.